

CITY OF MILPITAS
EFFECTIVE: 09/04/07
REVISED:
EEOC: Admin
FLSA: Exempt
UNIT: Management
PHYSICAL: 1

CITY ATTORNEY

DEFINITION

Under general direction acts as legal advisor to and counsel for the City Council, Mayor, City Manager and City departments; performs difficult and responsible professional civil and criminal legal work for the City, its agencies, boards and commissions; plans, organizes and directs activities of the City Attorney's Office and performs related work as required.

DISTINGUISHING CHARACTERISTICS

This single-position class manages all City legal activities, including civil litigation, whether performed by in-house staff or outside counsel. Responsibilities also include personally handling sensitive and complex legal matters and rendering advice and opinions to the City Council, Boards and Commissions, the City Manager and others. The incumbent is accountable for accomplishing departmental goals and objectives and for furthering City goals and objectives within general policy guidelines.

EXAMPLES OF DUTIES - Duties may include, but are not limited to, the following:

Develops and directs the implementation of goals, objectives, policies, procedures, budget and work standards for the Legal Department.

Plans, organizes, administers, reviews and evaluates the activities of professional, support and contract staff; selects assigned staff and provides for their training and professional development.

Provide legal counsel and opinions for the City Council, City staff, commissions, committees and officials in legal matters pertaining to City business.

Attend City Council meetings and Planning Commission meetings for the purpose of providing legal advise and counsel on matters affecting the City. Also attend other meetings, as requested by the City council or City Manager.

Draft and review legal documents, petitions, contracts, leases, resolutions, ordinances and other legal documents relative to the administration of legal processes affecting the City.

CITY OF MILPITAS
City Attorney (Continued)

Provides legal service to and on behalf of the City, its officers, boards, commissions and departments; renders legal opinions to the City Council, City Manager, and Department Managers as requested; confers with and renders assistance to the City Manager and Department Heads in establishing departmental policies.

Examine and analyze court decisions and legislation to determine their effect upon municipal affairs.

Provides legal counsel and assistance in the field of employee relations, and provides representation for the City in Workers' Compensation cases and self-insured liability program.

Prosecute for civil remedies to enforce City ordinances, abate public nuisances, recover for damages to City property, and condemn property for public purpose and other matters.

Appears before courts and administrative bodies to represent the City's interest as required.

Serve as the Redevelopment Agency general counsel and monitor Redevelopment Agency legal needs.

Select, supervise, train and evaluate staff.

Perform related duties as assigned.

QUALIFICATIONS

Knowledge of:

- Organization, duties, powers, limitations, and authority of City government and the City Attorney's Office.
- Legal principles and practices, including civil, criminal, constitutional, and administrative law and procedure.
- Ordinances, statutes, and court decisions relating to municipal corporations.
- Laws and practices with specific reference to redevelopment and community development.
- Judicial procedure and rules of evidence.
- Methods of legal research.
- Established precedents and sources of legal reference applicable to municipal activities.
- Principles and practices of public administration.

Ability to:

- Communicate clearly and concisely, orally and in writing.
- Effectively plan, organize and direct the activities required of a municipal legal office.
- Organize, interpret, and apply legal principles and knowledge of complex legal problems; effectively apply legal knowledge and principles in court.
- Present statements of law, fact and argument clearly and logically.
- Prepare and present difficult cases in court.

CITY OF MILPITAS
City Attorney (Continued)

- Conduct research on complex legal problems and prepare sound legal opinions.
- Properly interpret and make decisions in accordance with laws, regulations, and policies.
- Establish and maintain effective working relationships with employees, public officials, other departments and agencies, and the general public.
- Select, supervise, train, and evaluate assigned staff.

EXPERIENCE AND EDUCATION

Experience: Seven years experience practicing law with at least five years of substantial municipal law in the State of California and at least two years experience at a management level in a governmental legal office.

Education: Juris Doctor degree from an accredited law school.

LICENSE AND CERTIFICATE

- Membership in the State Bar of California.
- Possession of, or ability to obtain and maintain an appropriate, valid California Driver's License.

SPECIAL REQUIREMENTS:

Essential duties requires the following physical abilities and work environment.

Ability to work in a standard office environment, ability to attend night (evening) meetings, and ability to travel to various locations within and outside the City of Milpitas.

Approved by: City Council Resolution # 7700 on September 04, 2007